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8 **IN THE UNITED STATES DISTRICT COURT FOR THE**
9 **EASTERN DISTRICT OF CALIFORNIA**

10 **MIKE NELSON COMPANY, INC., a**
11 **California Corporation,**

12 **Plaintiff,**

13 **v.**

14 **WESTON HATHAWAY, and DOES**
15 **1 through 10,**

16 **Defendants.**

CV F 05-0208 AWI DLB

ORDER TAKING WESTON
HATHAWAY'S MOTIONS UNDER
SUBMISSION

17 Weston Hathaway's motions for summary judgment and partial summary adjudication are
18 currently set for hearing on December 4, 2006. The court has reviewed the moving papers and
19 has determined that these matters are suitable for decision without oral argument. Local Rule 78-
20 230(h).

21 Therefore, IT IS HEREBY ORDERED that the previously set hearing date of December
22 4, 2006, is VACATED, and the parties shall not appear at that time. As of December 4, 2006,
23 the Court will take these matters under submission and will thereafter issue its decision.

24 IT IS SO ORDERED.

25 **Dated: November 29, 2006**
26 **Om8i78**

/s/ Anthony W. Ishii
UNITED STATES DISTRICT JUDGE